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8 Bullion Monarch Mining, Inc.

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BULLION MONARCH MINING, INC., a  
Utah corporation,

CASE NO. **CV-N-08-00227-ECR-VPC**

Plaintiff,

vs.

NEWMONT USA LIMITED, a Delaware  
corporation, d/b/a NEWMONT MINING  
CORPORATION, BARRICK GOLD  
CORPORATION, BARRICK  
GOLDSTRIKE MINES, INC. and DOES I-  
X, inclusive,

Defendant(s).

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NEWMONT USA LIMITED, a Delaware  
Corporation, dba NEWMONT MINING  
CORPORATION,

Counterclaimant,

vs.

BULLION MONARCH MINING, INC., a  
Utah corporation.

Counterdefendant.

\_\_\_\_\_

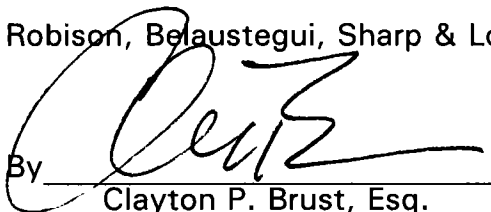
**STIPULATION FOR DISMISSAL WITHOUT PREJUDICE; ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Bullion

1 Monarch Mining, Inc., and Defendant Barrick Gold Corporation, by and through their  
2 undersigned counsel, that the claims against Barrick Gold Corporation in the above-  
3 entitled action may be, and hereby are, dismissed without prejudice, and each party  
4 to pay their own costs and attorney fees.  
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6 Dated this 27<sup>th</sup> day of July, 2009.

7 Robison, Belaustegui, Sharp & Low

8  
9 By   
10 Clayton P. Brust, Esq.  
11 *Attorneys for Plaintiff*  
12 *Bullion Monarch Mining, Inc.*

Dated this 24<sup>th</sup> day of July, 2009.

Parsons Behle & Latimer

By: s/Michael P. Petrogeorge  
Michael P. Petrogeorge, Esq.  
Brandon J. Mark, Esq.  
Francis Wikstrom, Esq.  
Michael Kealy, Esq.  
*Attorneys for Defendants*  
*Barrick Goldstrike Mines, Inc.,*  
*and Barrick Gold Corporation*

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16 **ORDER**

17 **IT IS SO ORDERED.**

18 IT IS FURTHER ORDERED that Defendant Barrick Gold Corporation's  
19 Motion to Dismiss (#70) is DENIED as moot.

20 Dated this 28th day of July, 2009.

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23 UNITED STATES DISTRICT JUDGE  
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